

REMARKS

This Amendment is being filed in response to the Final Office Action mailed April 24, 2009, which has been reviewed and carefully considered. By means of the present amendment, claim 5 has been canceled without prejudice and its features included in independent claims 1, 8 and 9. Accordingly, no new issues requiring a new search have been introduced and entry of the present Amendment is respectfully requested.

Claims 1-4 and 6-18 remain in this application, where claim 5 has been canceled without prejudice. Claims 1, 8 and 9 are independent.

In the Final Office Action, claims 1-9 are rejected under 35 U.S.C. §103(a) over U.S. Patent No. 7,123,220 (Hanari) in view of U.S. Patent No. 7,053,881 (Itoh). Claims 10-18 are rejected under 35 U.S.C. §103(a) over Hanari and Itoh in view of U.S. Patent Application Publication No. 2009/0040157 (Nishitani). Further, claims 1-4, 6 and 8-9 are rejected under 35 U.S.C. §102(b) over U.S. Patent No. 5,451,979 (Levac). It is respectfully submitted that claims 1-4 and 6-18 are patentable over Hanari, Itoh,

Nishitani and Levac for at least the following reasons.

As correctly noted on pages 5-6 of the Final Office Action, in rejecting claims 5, Hanari and Itoh do not disclose or suggest "wherein the control means are adapted to determine the fraction of the frame period in dependence on the total brightness level of the image during a previous frame period," as currently recited in independent claim 1, and similarly recited in independent claims 8 and 9. Official Notice is taken alleging such features are well known.

This Official Notice regarding the rejection of claim 5 is respectfully traversed. If it is well known to determine the fraction of a current frame period, for a current frame of an image to be displayed, in dependence on the total brightness level of the image during a previous frame period is in fact well known, as alleged in rejecting claim 5, then it should be described in documents that the Examiner can provide. Without access to these documents, Applicants cannot evaluate whether it is obvious to one of ordinary skill in the art to combine them with the references already of record. Such documentation is accordingly respectfully requested.

Further, it is respectfully submitted that varying a fraction of a frame period during which the display pixels emit light in dependence on a total brightness level for a frame of an image to be displayed is nowhere disclosed or suggested in Hanari, Itoh, Nishitani, Levac, and combinations thereof. Rather, Itoh discloses using the average brightness for display control, and Levac discloses using the number of lights energized for display control.

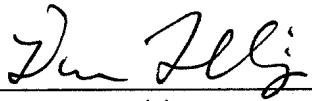
Accordingly, it is respectfully submitted that independent claims 1, 8 and 9 should be allowable, and allowance thereof is respectfully requested. In addition, it is respectfully submitted that claims 2-4, 6-7 and 10-18 should also be allowed at least based on their dependence from amended independent claims 1, 8 and 9.

In addition, Applicants deny any statement, position or averment of the Examiner that is not specifically addressed by the foregoing argument and response. Any rejections and/or points of argument not addressed would appear to be moot in view of the presented remarks. However, the Applicants reserve the right to submit further arguments in support of the above stated position, should that become necessary. No arguments are waived and none of

the Examiner's statements are conceded.

In view of the above, it is respectfully submitted that the present application is in condition for allowance, and a Notice of Allowance is earnestly solicited.

Respectfully submitted,

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